

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

LAWRENCE LEE ELMORE,

No. 1:12-cv-1332-CL

Plaintiff,

v.

JACKSON COUNTY, et al.

ORDER

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

I agree with Magistrate Judge Clarke that plaintiff's claim for malicious prosecution must be dismissed based on qualified

immunity and failure to state a claim. Accordingly, I ADOPT the Report and Recommendation.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#57) is adopted. Defendants' amended motion to dismiss (#37) is granted with prejudice.

IT IS SO ORDERED.

DATED this 7 day of January, 2014.



OWEN M. PANNER
U.S. DISTRICT JUDGE